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**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

JUN 02 2010

**MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT**

**KRISTINA SMITH,**

*Plaintiff,*

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)  
)

**10CV3352**

**JUDGE LEINENWEBER**

**MAG. JUDGE ASHMAN**

v.

**OAKTON COMMUNITY COLLEGE,**

*Defendant,*

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)  
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)

**Jury Trial Requested**

**COMPLAINT**

NOW COMES Plaintiff, KRISTINA SMITH, of Cook County, Illinois, by and through her attorney, MATTHEW PATRICK DOLAN, ATTORNEY AT LAW, complaining of Defendant, OAKTON COMMUNITY COLLEGE, and alleges as follows:

**PRELIMINARY STATEMENT**

1. The action arises under Title VII of the Civil Rights Act of 1964 ("Title VII"), as amended, 42 U.S.C. § 2000e *et seq.* Plaintiff seeks damages to redress Defendant's discriminatory employment practices.

**JURISDICTION AND VENUE**

2. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 1343(a)(3) and (4) and 28 U.S.C. § 1331 to secure protection of and to redress deprivation of rights secured by 42 U.S.C. § 2000e *et seq.*
3. Venue is proper in this Court under 28 U.S.C. § 1391(b)(1) and (2).

**PARTIES**

4. Plaintiff, KRISTINA SMITH, is a female United States citizen who resides in Skokie, Illinois.
5. Defendant, Oakton Community College, is an Illinois corporation, which has continuously, and does now employ more than fifteen (15) employees.

### **PROCEDURE**

6. Defendant is not a federal governmental agency, and the plaintiff has filed a charge against the defendant asserting the acts of discrimination indicated in this complaint with the United States Equal Employment Opportunity Commission, on or about March 25, 2010. A copy of the charge is attached. It is the policy of both the Equal Employment Opportunity Commission and the Illinois Department of Human Rights to cross-file with the other agency all charges received. The plaintiff has no reason to believe that this policy was not followed in this case. The United States Equal Employment Opportunity Commission has issued a *Notice of Right to Sue*, which was received by the plaintiff on April 12, 2010, a copy of which *Notice* is attached to this complaint.

### **COUNT I-TITLE VII-SEXUAL HARASSMENT**

7. Paragraphs one (1) through six (6) are incorporated by reference as if fully set out herein.
8. Plaintiff, a female, began her employment with Defendant on or about April 13, 2009.
9. Plaintiff was subjected to sexual harassment in the form of sexually suggestive and inappropriate comments made by a co-worker, employed by Defendant, whose duty it was to provide for Plaintiff's security while at work.
10. These remarks were offensive, frequent, prolonged, unwelcome, and unwarranted, and they unreasonably interfered with the Plaintiffs' work environment.
11. Upon notifying her superiors, also employees of Defendant, Plaintiff's concerns were greeted with dismissive and demeaning comments and Plaintiff was given no reason to believe that the harassment was being addressed or remedied.
12. Defendant failed to take reasonable steps to prevent, correct, and stop harassment of Plaintiff by her co-worker, also employed by Defendant.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff prays for judgment as follows:

1. Declare the conduct engaged in by Defendant to be in violation of Plaintiff's rights under applicable federal law;
2. Order Defendant to make Plaintiff whole by providing the affirmative relief necessary to eradicate the effects of Defendant's unlawful practices;

3. Order Defendant to pay lost, foregone and future wages to Plaintiff;
4. Grant Plaintiff any consequential, compensatory, liquidated or any other compensation that the Court may deem appropriate;
5. For costs of suit, including reasonable attorney's fees and expert fees, pursuant to 42 U.S.C. § 12117(a), which incorporates the remedies set forth in Title VII of the Civil Rights Act of 1964, Title 42 U.S.C. § 2000e-5(k); and
6. For such other and further relief as the court deems appropriate.

### **JURY TRIAL DEMAND**

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff demands a trial by jury of all issues so triable in this matter.

Respectfully Submitted



/Matthew Patrick Dolan

Attorney for Plaintiff

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